

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case
13-CA-190337Date Filed
12/21/16

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer (1) McDonald's 500 W. Madison St., Chicago, Illinois and (2) McDonald's USA, LLC, Joint Employers		b. Tel. No. (1) 312-906-8077 (2) 800-244-6227
d. Address (Street, city, state, and ZIP code) (1) 500 W. Madison St., Chicago, IL 60661 (2) 2111 McDonald's Drive, Oak Brook, IL 60523		c. Cell No.
e. Employer Representative		f. Fax No.
		g. e-Mail
		h. Number of workers employed (1) Appx. 50; (2) 100,000+
i. Type of Establishment (factory, mine, wholesaler, etc.) Restaurant	j. Identify principal product or service Fast Food	

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (1st subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

(1) Within the last six months, the joint employers terminated employee (b) (6), (b) (7)(C) in retaliation for (b) (6) participation in protected, concerted and union activities, and in an effort to discourage (b) (6), (b) (7)(C) and other employees from engaging in further protected, concerted and union activities.

(2) Within the last six months, the joint employers otherwise disciplined employee (b) (6), (b) (7)(C) in retaliation for (b) (6) participation in protected, concerted and union activities, and in an effort to discourage (b) (6), (b) (7)(C) and other employees from engaging in further protected, concerted and union activities.

(3) Within the last six months, the joint employers refused to honor an Illinois Personnel Record Review Act request by employee (b) (6), (b) (7)(C) in retaliation for (b) (6) participation in protected, concerted and union activities, and in an effort to discourage (b) (6), (b) (7)(C) and other employees from engaging in further protected, concerted and union activities.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)


Workers Organizing Committee of Chicago

4a. Address (Street and number, city, state, and ZIP code) 850 W. Jackson, Suite 275 Chicago, IL 60607	4b. Tel. No. (312) 520-1424
	4c. Cell No.
	4d. Fax No. (312) 243-4731
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By  George A. Luscombe III
(signature of representative or person making charge) (Print/type name and title or office, if any)

Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich
8 S. Michigan Ave. 19th Floor
Chicago, IL 60603

Tel. No. (312) 372-1361
Office, if any, Cell No.
Fax No. (312) 372-6599
e-Mail gluscombe@laboradvocates.co

Address 12/21/2016 (date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Cases

Case Number	Case Name	Case Actions	Date Filed	Status	IA Category	Charging Party Petitioner	Blocked	Hot Topics	Dispute/Unit City	Dispute/ Unit State	Charged Party Employer	No. 8(b)(2) Discriminates	No. 8(a)(3) Discriminates	No. of Employees on Petition/Charge	Description	Inquiry Id	Type	Sub Type	Team	Field Agent	Field Supervisor	Barg Status	Closed Reason	Date Closed	New	File O	Method of Contact
13-CA-189171	2827 S. Cicero Avenue McDonald's and McDonald's USA, LLC, joint employers	Case Actions	12/2/2016	Closed	2	Workers Organizing Committee of Chicago	No		Cicero	IL	McDonald's USA, LLC		1	150,000		(b) (6), (b) (7)(C)	C	CA	JPROKOP	JPROKOP	KGIANOPU	None	Withdrawal Non-adjusted	12/16/2016		(b) (7)(E)	Written
13-CA-188570	500 W. Madison Street McDonald's and McDonald's USA, LLC, joint employers	Case Actions	11/21/2016	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA LLC			150,000			C	CA	JPROKOP	JPROKOP	KGIANOPU	Organizational Campaign	Withdrawal Non-adjusted	12/12/2016			Written
13-CA-188371	600 E. Grand Avenue McDonalds and McDonald's USA, LLC, joint employers	Case Actions	11/17/2016	Closed	1	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA LLC			100,050			C	CA	JPROKOP	JPROKOP	KGIANOPU	None	Withdrawal Non-adjusted	12/12/2016			Written
13-CA-186446	1951 N. Milwaukee McDonald's and McDonald's USA, LLC, joint employers	Case Actions	10/18/2016	Closed	3	Workers Organizing Committee of Chicago	No		Chicago	IL	MCDONALD S USA LLC		1	150,000			C	CA	JGREENHI	JGREENHI	KGIANOPU	None	Withdrawal Non-adjusted	12/16/2016			Written
13-CA-179428	5153 W. Chicago McDonald's and McDonald's USA, LLC, joint employers	Case Actions	7/1/2016	Closed	3	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA LLC		5	50			C	CA	CTERRELL	CTERRELL	KGIANOPU	None	Withdrawal Non-adjusted	11/22/2016			Written
13-CA-177346	5153 West Chicago McDonald's and McDonald's USA, LLC, joint employers	Case Actions	5/27/2016	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA LLC		2	140,000			C	CA	CTERRELL	CTERRELL	KGIANOPU	None					Written
13-CA-175385	RMC Enterprises, LLC and McDonald's USA, LLC, joint employers	Case Actions	5/3/2016	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC, joint employers		1	100,050			C	CA	CORTEGA	CORTEGA	JHOFSTRA	None	Withdrawal Non-adjusted	7/18/2016			Written
13-CA-174626	Loftons Holdings Seven, Inc., d/b/a 5153 West Chicago McDonald's and McDonald's USA, LLC, joint employers	Case Actions	4/21/2016	Closed	3	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC		1	100,050			C	CA	TPORTER	TPORTER	RPAZ	None	Withdrawal Adjusted	4/27/2016			Written
13-CA-172669	McDonald's and McDonald's USA, LLC	Case Actions	3/28/2016	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonalds USA, LLC		1	50			C	CA	ECASTILL	ECASTILL	JMUTH	None	Withdrawal Non-adjusted	4/13/2016			Written
13-CA-165285	Lofton Holdings Four, LLC and McDonald's USA, LLC, joint employers	Case Actions	12/1/2015	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC, joint employers		3	100,040			C	CA	HGUTIERR	HGUTIERR	JSCHRAND	None	Withdrawal Non-adjusted	12/9/2016			Written
13-CA-159428	Karav tes Restaurant, Inc. and McDonald's USA, LLC, joint employers	Case Actions	9/3/2015	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC		1	145,000			C	CA	ECASTILL	ECASTILL	JMUTH	None					Written
13-CA-151797	McDonald's Restaurants of Illinois, Inc. and McDonald's USA, LLC, joint employers	Case Actions	5/6/2015	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonalds USA, LLC		1	100,045			C	CA	AHAMPTON	AHAMPTON	JSCHRAND	None	Withdrawal Non-adjusted	12/1/2015			Written
13-CA-150433	Tailormade McD, Inc. d/b/a McDonald's and McDonald's USA, LLC, Joint Employers	Case Actions	4/20/2015	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	Tailormade McD, Inc. d/b/a McDonald's and McDonald's USA, LLC., Joint Employers		1	40			C	CA	MHENSEL	MHENSEL	RPAZ	None	Withdrawal Non-adjusted	7/2/2015	👉		Written
13-CA-148538	Loftons Holdings Seven, Inc. d/b/a McDonald's and McDonald's USA, LLC, Joint Employers	Case Actions	3/19/2015	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA, LLC		1	100,050			C	CA	ECORTEZ	ECORTEZ	RPAZ	Organizational Campaign	Dismissal Non-adjusted	8/26/2015			Written
13-CA-147394	PMA MCD, Inc., d/b/a McDonald's, 5500 W. Cermak Rd., Cicero, IL and McDonald's USA, LLC, Joint Employers	Case Actions	3/2/2015	Open	2	Workers Organizing Committee of Chicago	No		Cicero	IL	McDonald's USA, LLC		1	100,060			C	CA	ECASTILL	ECASTILL	JMUTH	None					Written
13-CA-147150	McDonald's USA/Joint Employers	Case Actions	2/26/2015	Open	1	Workers Organizing Committee of Chicago	No		Oak Brook	IL	McDonalds USA, LLC			1,000			C	CA	MHENSEL	MHENSEL	RPAZ	None					Written
13-CA-145912	Seven MCD, Inc. d/b/a McDonald's and McDonald's USA, LLC, joint employers	Case Actions	2/5/2015	Open	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonalds USA, LLC		1	40			C	CA	ECORTEZ	ECORTEZ	RPAZ	None					Written
13-CA-145869	6336 S. Ashland McDonald's and McDonald's USA, LLC, joint employers	Case Actions	2/5/2015	Closed	2	Workers Organizing Committee of Chicago	No		Chicago	IL	McDonald's USA LLC		1	32			C	CA	EGALLIAN	EGALLIAN	PPROKOP	None	Withdrawal Non-adjusted	2/26/2015			Written
	PMA MCD, Inc., d/b/a																										

(b) (7)(E)

Case No.	Case Name	Case Type	Case Date	Case Status	Case Count	Case Location	Case County	Case State	Case Employer	Case Employees	Case Notes	Case Comments	Case Outcome	Case Date	Case Status	Case Comments	Case Outcome
13-CA-131097	McDonald's 2827 S. Cicero Avenue, Cicero, IL and McDonald's USA, LLC, joint employers	Case Actions	6/19/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Cicero	IL	McDonald's USA, LLC	160,000					
13-CA-129709	Taylor & Malone Management a McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	5/30/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	3	100,050				
13-CA-129771	K. Mark Enterprises, LLC, A McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	5/30/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's USA, LLC	60					
13-CA-128629	McDonald's/5153 West Chicago Avenue and McDonald's USA, LLC joint employers	Case Actions	5/13/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	50					
13-CA-126312	(1) Lofton & Lofton Management V, Inc. d/b/a McDonald's/23 N Western Avenue and (2) McDonald's USA, LLC, joint employers	Case Actions	4/10/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	100,000					
13-CA-124993	McDonald's USA, LLC	Case Actions	3/21/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's USA, LLC	60					
13-CA-124812	Kara Vites Restaurant 5895, Inc. a McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	3/19/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's USA, LLC	140,000					
13-CA-124813	V.Oviedo, Inc. A McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	3/19/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's USA, LLC	100,055					
13-CA-124488	Karav tes McDonald's and McDonald's USA, LLC, named as joint employers	Case Actions	3/14/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	River Forest	IL	Karavites McDonald's	2	30				
13-CA-124362	McDonald's/McDonald's Corporation, joint employers	Case Actions	3/13/2014	Closed	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's	5	60				
13-CA-124213	Normat, Inc., a McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	3/11/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	5	50				
13-CA-123916	V. Oviedo, Inc. A McDonald's Franchisee, and McDonald's USA, LLC, Joint Employers	Case Actions	3/6/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	1	50				
13-CA-123699	K. Mark Enterprises, LLC A McDonald's Franchisee and McDonald's USA, LLC, Joint Employers	Case Actions	3/4/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	O'Rourke Investment Group d/b/a McDonald's USA LLC	1	60				
13-CA-121759	McDonald's Restaurants of Illinois, Inc.	Case Actions	2/3/2014	Open	2	Chicago	Workers Organizing Committee of Chicago	No of Chicago	Chicago	IL	McDonald's USA, LLC	0	60				

(b) (7)(E)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website:
www.nlr.gov
Telephone: (312)353-7570
Fax: (312)886-1341



Download
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December 23, 2016

McDonald's
500 West Madison Street
Chicago, IL 60661

McDonald's USA, LLC
2111 McDonald's Drive
Oak Brook, IL 60523

Re: McDonald's 500 W. Madison St., Chicago,
Illinois and McDonald's USA, LLC, Joint
Employers
Case 13-CA-190337

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Examiner Jana C. Prokop whose telephone number is (312)353-8613 and e-mail address is jana.prokop@nlrb.gov. If this Board agent is not available, you may contact Supervisory Examiner Kate Gianopulos whose telephone number is (312)353-4162.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge by January 4, 2017. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

December 23, 2016

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

Paul Hitterman

Paul Hitterman
Acting Regional Director

JCP/dg

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

13-CA-190337

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. **Did you begin operations within the last 12 months?** If yes, specify date: _____**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

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UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**MCDONALD'S 500 W. MADISON ST.,
CHICAGO, ILLINOIS AND MCDONALD'S USA,
LLC, JOINT EMPLOYERS**

Charged Party

and

**WORKERS ORGANIZING COMMITTEE OF
CHICAGO**

Charging Party

Case 13-CA-190337

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 23, 2016, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

McDonald's
500 West Madison Street
Chicago, IL 60661

McDonald's USA, LLC
2111 McDonald's Drive
Oak Brook, IL 60523

December 23, 2016

Date

Denise Gatsoudis, Designated Agent of
NLRB

Name

/s/ Denise Gatsoudis

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 13
Dirksen Federal Building
219 South Dearborn Street, Suite 808
Chicago, IL 60604-2027

Agency Website: www.nlrb.gov
Telephone: (312)353-7570
Fax: (312)886-1341



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December 23, 2016

Workers Organizing Committee of Chicago
850 West Jackson Boulevard, Suite 275
Chicago, IL 60607-3049

Re: McDonald's 500 W. Madison St., Chicago,
Illinois and McDonald's USA, LLC, Joint
Employers
Case 13-CA-190337

Dear Sir or Madam:

The charge that you filed in this case on December 22, 2016 has been docketed as case number 13-CA-190337. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

December 23, 2016

Procedures: We strongly urge everyone to submit all documents and other materials by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

/s/ Paul Hitterman

Paul Hitterman
Acting Regional Director

cc: George A. Luscombe III, Esq.
Dowd, Bloch, Bennett, Cervone,
Auerbach & Yokich
8 South Michigan Avenue, Suite 1900
Chicago, IL 60603

From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Re: McDonald's 500 W Madison 13-CA-190337
Date: Thursday, January 5, 2017 3:30:40 PM

Thanks for the heads up. I'll see what I can do.

No interpreter needed.

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599
gluscombe@laboradvocates.com

On Thu, Jan 5, 2017 at 2:28 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Hi George, I am told I can give you until 1/11 to present evidence, so if we can't get (b) (6), (b) (7)(C) scheduled before then, I'd suggest withdrawing and refiling. Hopefully you will be able to get in touch with (b) (6), (b) (7)(C) soon. By the way, do you know if we will need an interpreter? Thanks!

Get [Outlook for iOS](#)

From: Prokop, Jana C. <jana.prokop@nlrb.gov>
Sent: Wednesday, January 4, 2017 9:54 AM
Subject: RE: McDonald's 500 W Madison 13-CA-190337
To: George Luscombe <gluscombe@laboradvocates.com>

Sounds good. Thanks!

Jana Prokop

Field Examiner

National Labor Relations Board, Region 13

219 S Dearborn - Suite 808

Chicago, IL 60604

[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)

<http://www.nlrb.gov>

From: George Luscombe [<mailto:gluscombe@laboradvocates.com>]
Sent: Wednesday, January 04, 2017 9:37 AM
To: Prokop, Jana C. <Jana.Prokop@nrlrb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Hi Jana,

As I hope you've assumed by now, I haven't been able to get a hold of the union yet, so no witness for today. But, I am still trying to get all availability over the next week or so.

George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone [312.372.1361](tel:312.372.1361) | Fax [312.372.6599](tel:312.372.6599)
gluscombe@laboradvocates.com

On Tue, Jan 3, 2017 at 12:34 PM, Prokop, Jana C. <Jana.Prokop@nrlrb.gov> wrote:

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From: George Luscombe [mailto:gluscombe@laboradvocates.com]
Sent: Tuesday, January 03, 2017 11:32 AM
To: Prokop, Jana C. <Jana.Prokop@nrlb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Hi Jana,

Happy new year.

Let me see if I can get [REDACTED] for tomorrow.

George

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gluscombe@laboradvocates.com

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Hi George,

I was off on vacation last week and am back today. The above charge was assigned to me and looks like it is regarding employee [REDACTED]. Do you know when [REDACTED] is available to come in for an affidavit? I will be in the office all day tomorrow if [REDACTED] could come in then. I'm in from around 915am to 5pm. Let me know. Thanks!

Happy New Year!

Jana Prokop

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Re: McDonald's 500 W Madison 13-CA-190337
Date: Friday, January 6, 2017 5:38:07 PM

Great, thank you.

I'm still waiting to confirm, but I am shooting for a 1:00pm start time, because of hearing I have in the morning. If the witness can only do the morning, however, I'll figure it out.

Have a good weekend.

George

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gluscombe@laboradvocates.com

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Sure thing! Let me know what time. I'm in just after 9am.

Jana Prokop

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From: George Luscombe [mailto:gluscombe@laboradvocates.com]
Sent: Friday, January 06, 2017 1:41 PM
To: Prokop, Jana C. <Jana.Prokop@nrlb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

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Thanks!

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From: George Luscombe [<mailto:gluscombe@laboradvocates.com>]

Sent: Wednesday, January 04, 2017 9:37 AM

To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>

Subject: Re: McDonald's 500 W Madison 13-CA-190337

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From: George Luscombe [mailto:gluscombe@laboradvocates.com]

Sent: Tuesday, January 03, 2017 11:32 AM

To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>

Subject: Re: McDonald's 500 W Madison 13-CA-190337

Hi Jana,

Happy new year.

Let me see if I can get (b) (6), (b) (7)(C) for tomorrow.

George

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gluscombe@laboradvocates.com

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Happy New Year!

Jana Prokop

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Re: McDonald's 500 W Madison 13-CA-190337
Date: Monday, January 9, 2017 3:08:07 PM

I'll bring (b) (6), (b) (7)(F) over to get started, and then come back for the affidavit review (my guess is this one will take several hours).

I'll have a NOA form. And yes, please call me when you all are close to finished: work number 312-372-1361 and cell 312-480-0840.

Thank you,
George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599
gluscombe@laboradvocates.com

On Mon, Jan 9, 2017 at 2:05 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Sounds great! Are you going to want to read (b) (6), (b) (7)(F) affidavit (with (b) (6), (b) (7)(F) approval) when (b) (6), (b) (7)(F) done? Will you wait in the waiting room while (b) (6), (b) (7)(F) gives (b) (6), (b) (7)(F) affidavit or should we just call you when we're close to being done?

Jana Prokop

Field Examiner

National Labor Relations Board, Region 13

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From: George Luscombe [mailto:gluscombe@laboradvocates.com]
Sent: Monday, January 09, 2017 10:33 AM
To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Jana,

I've got the witness (b) (6), (b) (7)(C), (b) (7)(D) confirmed for (b) (6), on the (b) (6), (b) (7) please let me know if that still works.

Best,

George

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George

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: McDonald's 500 W. Madison
Date: Monday, January 9, 2017 4:45:21 PM

Jana,

For (b) (6), (b) (7)(C), (b) (7)(D) affidavit, here is a brief bullet list of my understanding of what (b) (6), (b) (7)(C), (b) (7)(D) will be able to testify to that may be of help:

(b) (6), (b) (7)(C), (b) (7)(D) had been working at the Ogilvie McDonald's at 500 W Madison for (b) (6), (b) (7)(C), (b) (7)(D) before (b) (6), (b) (7)(C), (b) (7)(D) was terminated in (b) (6), (b) (7)(C), (b) (7)(D) 2016. Before that (b) (6), (b) (7)(C), (b) (7)(D) had worked at a couple of other stores (b) (6), (b) (7)(C).

(b) (6), (b) (7)(C), (b) (7)(D) first became involved with the Fight for Fifteen in October 2016. (b) (6), (b) (7)(C), (b) (7)(D) first contact with the union was meeting with an (b) (6), (b) (7)(C), (b) (7)(D) in the lobby in front of, and in view of, the restaurant. After meeting with the the (b) (6), (b) (7)(C), (b) (7)(D) went back to work at which time (b) (6), (b) (7)(C), (b) (7)(D) asked (b) (6), (b) (7)(C), (b) (7)(D) who (b) (6), (b) (7)(C), (b) (7)(D) was meeting with. (b) (6), (b) (7)(C), (b) (7)(D) told (b) (6), (b) (7)(C), (b) (7)(D) that (b) (6), (b) (7)(C), (b) (7)(D) was meeting with (b) (6), (b) (7)(C), (b) (7)(D) from the Fight for Fifteen.

Within a few weeks of that (I think in (b) (6), (b) (7)(C), (b) (7)(D)), (b) (6), (b) (7)(C), (b) (7)(D) was sent home early based on an incident (b) (6), (b) (7)(C), (b) (7)(D) can describe to you. The next day when (b) (6), (b) (7)(C), (b) (7)(D) reported to work (b) (6), (b) (7)(C), (b) (7)(D) was told not to check in until (b) (6), (b) (7)(C), (b) (7)(D) met with (b) (6), (b) (7)(C), (b) (7)(D). When (b) (6), (b) (7)(C), (b) (7)(D) met with (b) (6), (b) (7)(C), (b) (7)(D) told (b) (6), (b) (7)(C), (b) (7)(D) that (b) (6), (b) (7)(C), (b) (7)(D) was being placed on (b) (6), (b) (7)(C), (b) (7)(D) probation.

(b) (6), (b) (7)(C), (b) (7)(D) continued involvement with the Fight for Fifteen including participating in the November 29, 2016 strike.

(b) (6), (b) (7)(C), (b) (7)(D) first day back to work following the strike was November 30, 2016.

The (b) (6), (b) (7)(C), (b) (7)(D) 2016, (b) (6), (b) (7)(C), (b) (7)(D) was sent home from work early following an incident that (b) (6), (b) (7)(C), (b) (7)(D) can give you details of.

(b) (6), (b) (7)(C), (b) (7)(D) was told not to come back to work until (b) (6), (b) (7)(C), (b) (7)(D) was ordered to come in on (b) (6), (b) (7)(C), (b) (7)(D) 2016 to meet with (b) (6), (b) (7)(C), (b) (7)(D). At that meeting, (b) (6), (b) (7)(C), (b) (7)(D) informed (b) (6), (b) (7)(C), (b) (7)(D) that (b) (6), (b) (7)(C), (b) (7)(D) was being terminated.

Within a few days of (b) (6), (b) (7)(C), (b) (7)(D) termination, (b) (6), (b) (7)(C), (b) (7)(D) delivered to the store a written request for (b) (6), (b) (7)(C), (b) (7)(D) Personnel Records pursuant to the Illinois Personnel Record Review Act (820 ILCS 40/0.01 *et seq.*).

On or about (b) (6), (b) (7)(C), (b) (7)(D) 2016, (b) (6), (b) (7)(C), (b) (7)(D) went in person to the Store to follow up on (b) (6), (b) (7)(C), (b) (7)(D) records request and (b) (6), (b) (7)(C), (b) (7)(D) told (b) (6), (b) (7)(C), (b) (7)(D) that (b) (6), (b) (7)(C), (b) (7)(D) was not entitled to the documents.

On or about December 22, 2016, (b) (6), (b) (7)(C), (b) (7)(D) requested (b) (6), (b) (7)(C), (b) (7)(D) records again (in a letter from me).

To date, the employer has not responded to the records request.

With regard to our discipline and termination allegations, because the Employer hasn't produced (b) (6), (b) (7)(C), (b) (7)(D) personnel records, we don't have a clear understanding of what the employer's claimed justifications might be. But, I understand (b) (6), (b) (7)(C), (b) (7)(D) told (b) (6), (b) (7)(C), (b) (7)(D) that the basis of

the discipline was having a bad attitude and the termination was for insubordination. As you can imagine, should the employer assert that, our position is that those defenses are pretextual, and I think (b) (6), (b) (7)(C), (b) (7)(D) testimony will bear that out.

With regard to the Personnel Records Review Act allegation, we recognize that the violation of that statute is a matter of State law. Our position with regard to the NLRA is that the employer has refused to produce the requested documents, as it has a clear obligation to do under that law, because of (b) (6), (b) (7)(C) concerted and union activity. I don't know what the employer's legitimate excuse for this one would be.

George

George A. Luscombe III

DOWD, BLOCH, BENNETT,

CERVONE, AUERBACH & YOKICH

8 South Michigan Avenue | 19th Floor | Chicago, IL 60603

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gluscombe@laboradvocates.com

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NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

McDonald's 500 W Madison St.
Chicago, Illinois & McDonald's USA, LLC Joint Employers

and

CASE 13-CA-190337

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

☐ GENERAL COUNSEL
NATIONAL LABOR RELATIONS BOARD
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF _____

(b) (6), (b) (7)(C), (b) (7)(D) for affidavit review only.

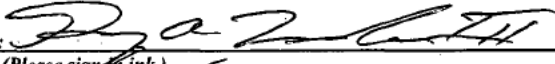
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

George A Luscombe III	
NAME:	
MAILING ADDRESS:	Dowd, Bloch, Bennett, Cervone, Auerbach & Yokich, 8 S Michigan Ave., Chgo, IL 60603
E-MAIL ADDRESS:	gluscombe@laboradvocates.com
OFFICE TELEPHONE NUMBER:	312-372-1361
CELL PHONE NUMBER:	FAX: 312-372-6599
SIGNATURE:	
DATE:	(Please sign in ink.) January 11, 2012

¹ IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

National Labor Relations Board
**NOTICE OF DESIGNATION OF ATTORNEY
OR REPRESENTATIVE**

McDonald's 500 W Madison Street & McDonald's
USA LLC, joint employers

CASE NO.
13-CA-190337

To: Regional Director,

I, (b) (6), (b) (7)(C), (b) (7)(D), the undersigned, hereby designate
George Luscombe III, whose name and address appear below,
as my attorney/representative in this proceeding. *for affidavit review.*

This designation shall remain valid until a written revocation of it, signed by me, is filed with the Board.

FULL NAME OF WITNESS (b) (6), (b) (7)(C), (b) (7)(D)
SIGNATURE OF WITNESS (please sign in ink)
01-11-17 DATE

NAME OF ATTORNEY/REPRESENTATIVE George Luscombe III
<input checked="" type="checkbox"/> REPRESENTATIVE IS AN ATTORNEY
MAILING ADDRESS Dowd Bloch Bennett Cervone Auerbach & Yokich 8 S Michigan Ave Chicago, IL
EMAIL ADDRESS gluscombe@laboradvocates.com
TELEPHONE NUMBER 312-372-1361

LAW OFFICES
DOWD, BLOCH, BENNETT, CERVONE, AUERBACH & YOKICH

8 SOUTH MICHIGAN AVENUE • 19TH FLOOR
CHICAGO, ILLINOIS 60603-3315
(312) 372-1361 | FAX (312) 372-6599
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MELISSA J. AUERBACH
BARRY M. BENNETT
ROBERT E. BLOCH
ROBERT S. CERVONE
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JOSIAH A. GROFF
JUSTIN J. LANNONE
DAVID P. LICHTMAN
GEORGE A. LUSCOMBE III
RONALD M. WILLIS
STEPHEN A. YOKICH

JEREMY M. BARR
WILLIAM M. KINNEY
ELIZABETH L. ROWE

Date: 12-22-16

By Certified Mail

McDonald's 500 W. Madison St.
c/o Store Manager
500 W. Madison St.
Chicago, IL 60661

By Certified Mail

McDonald's Corporation
2111 McDonald's Drive
Oak Brook, Illinois 60523

**Re: Employee (b) (6), (b) (7)(C) Illinois Personnel Record Review Act
Request**

Dear Joint Employers:

Our law firm represents the Workers Organizing Committee of Chicago ("WOCC"). The WOCC has instructed me to contact you on behalf of its member, and your former employee, (b) (6), (b) (7)(C). The WOCC has been informed that you have wrongfully refused to honor (b) (6), (b) (7)(C) request for (b) (6), (b) (7)(C) personnel records pursuant to the Illinois Personnel Record Review Act, 820 ILCS 40/0.01, *et seq.* (the "Act"). If you have not done so already, I strongly recommend that you review these issues with your attorney.

Section 2 of the Act provides that: "Every employer shall, upon an employee's request which the employer may require be in writing on a form supplied by the employer, permit the employee to inspect any personnel documents which are, have been or are intended to be used in determining that employee's qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action, except as provided in Section 10." This duty applies equally to your former employees

DOWD, BLOCH, BENNETT, CERVONE, AUERBACH & YOKICH

McDonald's 500 W Madison & McDonald's Corporation

Date: 12-22-16

Page 2 of 2

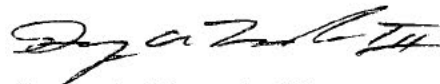
who you have terminated within the last year, including (b) (6), (b) (7)(C). See 820 ILCS 40/1(a).

We have been informed that more than seven days ago, (b) (6), (b) (7)(C) submitted a written request pursuant to the Act to the management of your store located at 500 W. Madison St., Chicago, Illinois. Thus, your response to (b) (6), (b) (7)(C) request is now delinquent under 820 ILCS 40/2. Even more troubling, the WOCC has been informed that when (b) (6), (b) (7)(C) followed up with store management regarding (b) (6), (b) (7)(C) request, (b) (6), (b) (7)(C) expressly stated that (b) (6), (b) (7)(C) was not entitled to the requested documents.

Your actions appear to be a clear violation of your lawful obligations. Please let this letter serve as a renewed request by (b) (6), (b) (7)(C) for (b) (6), (b) (7)(C) personnel records pursuant to the Act. Because you are already delinquent in your response to (b) (6), (b) (7)(C) original request, please produce the documents immediately to (b) (6), (b) (7)(C) at (b) (6), (b) (7)(C) address: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C).

If you fail to comply with your obligations under the Act, we will pursue all appropriate legal remedies. See 820 ILCS 40/12.

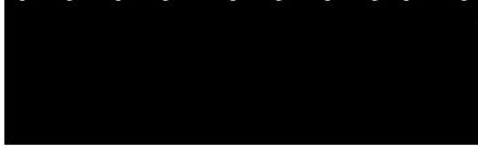
Very truly yours,



George A. Luscombe III

I repeat my request that I be provided with all appropriate documents under the Illinois Personnel Record Review Act.

(b) (6), (b) (7)(C)



2407

WORKERS ORGANIZING COMMITTEE OF CHICAGO

850 W Jackson Blvd Suite 275 Chicago, IL 60607

McDonald's/McDonald's USA, LLC Joint Employers

McDonald's Corporate
500 W Madison St.
Chicago, IL 60606

Dear Joint Employers:

This letter is to notify you that on November 29, 2016 the workers whose names are listed below are going on strike for a \$15 an hour wage and the right to join a Union without interference. Each of these workers unconditionally offers to return to work after November 29th for her or his next regularly scheduled shift. This notice and unconditional offer to return also applies to other workers who may choose to join the strike.

Those workers are also striking to protest unfair labor practices at numerous locations for which Joint Employer McDonald's USA is responsible.

In the four years since 200 fast-food workers walked off their jobs in New York City and launched the Fight for \$15, tens of thousands of fast food workers in hundreds of cities around the country have joined the movement and taken steps to demand a living wage. The American economy is not working for these workers and many others. It is time for you to pay your employees a living wage. Instead of leading a race to the bottom, you should join the workers listed below and their fellow workers around the country in a march to the top, that will help everybody.

The Workers Organizing Committee of Chicago is not making a demand for recognition at this time.

This is a peaceful, lawful, one-day strike protected by federal labor law. We expect you to obey federal law and refrain from firing or cutting hours, or otherwise discriminating or retaliating against any of your workers for standing together to improve their jobs and to safeguard their rights.

Workers Organizing Committee of Chicago

Striking Workers:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

From: [Prokop, Jana C.](#)
To: ["George Luscombe"](#)
Subject: RE: McDonald's 500 W Madison 13-CA-190337
Date: Friday, January 13, 2017 10:56:00 AM

No problem!

Jana Prokop
Field Examiner
National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
312-353-8613 (p) | 312-886-1341 (f)
<http://www.nlr.gov>

From: George Luscombe [mailto:gluscombe@laboradvocates.com]
Sent: Thursday, January 12, 2017 5:02 PM
To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Jana,

Sorry I wasn't able to follow up with you today. I am trying to run down some information. One update is that (b) (6), (b) (7)(F) did today receive (b) (6), (b) (7)(F) personnel file.

I am out of the office tomorrow. Would it be o.k. to follow up with you first thing next week.

Thanks,
George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599
gluscombe@laboradvocates.com

On Mon, Jan 9, 2017 at 2:05 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Sounds great! Are you going to want to read (b) (6), (b) (7)(F) affidavit (with (b) (6), (b) (7)(F) approval) when (b) (6), (b) (7)(F) done? Will you wait in the waiting room while (b) (6), (b) (7)(F) gives (b) (6), (b) (7)(F) affidavit or should we just call you when we're close to being done?

Jana Prokop
Field Examiner
National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)
<http://www.nlr.gov>

From: George Luscombe [mailto:gluscombe@laboradvocates.com]

Sent: Monday, January 09, 2017 10:33 AM

To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>

Subject: Re: McDonald's 500 W Madison 13-CA-190337

Jana,

I've got the witness (b) (6), (b) (7)(C) confirmed for (b) (6), (b) (7)(C) on the (b) (6), (b) (7)(C) please let me know if that still works.

Best,
George

George A. Luscombe III
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CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone [312.372.1361](tel:312.372.1361) | Fax [312.372.6599](tel:312.372.6599)
gluscombe@laboradvocates.com

On Fri, Jan 6, 2017 at 3:10 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Sure thing! Let me know what time. I'm in just after 9am.

Jana Prokop
Field Examiner
National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)
<http://www.nlrb.gov>

From: George Luscombe [mailto:gluscombe@laboradvocates.com]

Sent: Friday, January 06, 2017 1:41 PM

To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>

Subject: Re: McDonald's 500 W Madison 13-CA-190337

Jana,

It's sounding like (b) (6), (b) (7)(C) will be available on the (b) (6), (b) (7)(C) Would you be available that day?

George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
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gluscombe@laboradvocates.com

On Thu, Jan 5, 2017 at 2:28 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Hi George, I am told I can give you until 1/11 to present evidence, so if we can't get (b) (6), (b) (7)(C) scheduled before then, I'd suggest withdrawing and refile. Hopefully you will be able to get in touch with (b) (6), (b) (7)(C) soon. By the way, do you know if we will need an interpreter?
Thanks!

Get [Outlook for iOS](#)

From: Prokop, Jana C. <jana.prokop@nlrb.gov>
Sent: Wednesday, January 4, 2017 9:54 AM
Subject: RE: McDonald's 500 W Madison 13-CA-190337
To: George Luscombe <gluscombe@laboradvocates.com>

Sounds good. Thanks!

Jana Prokop
Field Examiner
National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)
<http://www.nlrb.gov>

From: George Luscombe [<mailto:gluscombe@laboradvocates.com>]
Sent: Wednesday, January 04, 2017 9:37 AM
To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Hi Jana,

As I hope you've assumed by now, I haven't been able to get a hold of the union yet, so no witness for today. But, I am still trying to get all availability over the next week or so.

George

George A. Luscombe III
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CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone [312.372.1361](tel:312.372.1361) | Fax [312.372.6599](tel:312.372.6599)
gluscombe@laboradvocates.com

On Tue, Jan 3, 2017 at 12:34 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Sounds great. I have someone that I just scheduled at 330 or 4pm, so if (b) (6), (b) (7)(C) can come in, hopefully we can finish by then. I'll wait to hear back.

Jana Prokop
Field Examiner

National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)
<http://www.nlr.gov>

From: George Luscombe [mailto:gluscombe@laboradvocates.com]
Sent: Tuesday, January 03, 2017 11:32 AM
To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>
Subject: Re: McDonald's 500 W Madison 13-CA-190337

Hi Jana,

Happy new year.

Let me see if I can get (b) (6), (b) (7)(C) for tomorrow.

George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone [312.372.1361](tel:312.372.1361) | Fax [312.372.6599](tel:312.372.6599)
gluscombe@laboradvocates.com

On Tue, Jan 3, 2017 at 11:29 AM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Hi George,

I was off on vacation last week and am back today. The above charge was assigned to me and looks like it is regarding employee (b) (6), (b) (7)(C). Do you know when (b) (6), (b) (7)(C) is available to come in for an affidavit? I will be in the office all day tomorrow if (b) (6), (b) (7)(C) could come in then. I'm in from around 915am to 5pm. Let me know. Thanks!

Happy New Year!

Jana Prokop
Field Examiner
National Labor Relations Board, Region 13
219 S Dearborn - Suite 808
Chicago, IL 60604
[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)
<http://www.nlr.gov>

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: McDonald's 500 W Madison - (b) (6), (b) (7)(C) Charge
Date: Tuesday, January 17, 2017 12:35:28 PM
Attachments: [DOC658.pdf](#)

Jana,

As discussed, attached is what I understand that the employer produced to (b) (6), (b) (7)(C) in response to (b) (6), (b) (7)(C) records request.

Thank you,
George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599
gluscombe@laboradvocates.com

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McDonald's
1700 E 56th St.
Suite 3609
Chicago, IL 60637

January 11, 2017

(b) (6), (b) (7)(C)

Dear

(b) (6), (b) (7)(C)

Per your request, enclosed please find a copy of the personnel documents located in your file. Should you have any questions, please feel free to contact me at your convenience.

Sincerely,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Inturn

PAYROLL INPUT FORM

Attention: Managers completing orientation for new employees need to complete this form in its entirety and fax to office 773-493-7660. **Employees cannot be placed on payroll without this form completed.

STORE # 15921

TIME CARD/PUNCH #

SOCIAL SECURITY #

DATE OF BIRTH:

GENDER (PLEASE CIRCLE)

EMPLOYEE NAME
FIRST:

ADDRESS

CITY

PHONE NUMBER

DEPARTMENT (PLEASE CIRCLE) MGMT MAINT CREW

START DATE

MARITAL STATUS (PLEASE CIRCLE)

FEDERAL TAX EXEMPT

STATE TAX EXEMPT

For Office Use Only

Date Faxed

Person Responsible for faxing

(b) (6), (b) (7)(C)



Employment Eligibility Verification

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-9
OMB No. 1615-0047
Expires 03/31/2016

START HERE. Read instructions carefully before completing this form. The instructions must be available during completion of this form.
ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work-authorized individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because the documentation presented has a future expiration date may also constitute illegal discrimination.

Section 1: Employee Information and Attestation (Employees must complete and sign Section 1 of Form I-9 no later than the first day of employment, but not before accepting a job offer.)

(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C) Name	(b) (6), (b) (7)(C)	Other Names Used (if any)
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.

(b) (6), (b) (7)(C)

Under penalty of perjury, that I am (check one of the following):

an alien of the United States

citizen national of the United States (See instructions)

not a permanent resident (Alien Registration Number/USCIS Number): _____

authorized to work until (expiration date, if applicable, mm/dd/yyyy) _____. Some aliens may write "N/A" in this field. (See instructions)

For aliens authorized to work, provide your Alien Registration Number/USCIS Number OR Form I-94 Admission Number:

1. Alien Registration Number/USCIS Number: _____

OR

2. Form I-94 Admission Number: _____

If you obtained your admission number from CBP in connection with your arrival in the United States, include the following:

Foreign Passport Number: _____

Country of Issuance: _____

Some aliens may be required to provide their Foreign Passport Number and Country of Issuance fields. (See instructions)

Signature of Employee	(b) (6), (b) (7)(C)	Date (mm/dd/yyyy)	(b) (6), (b) (7)(C)
-----------------------	---------------------	-------------------	---------------------

Preparer and/or Translator (If the form is prepared by a person other than the employee, the preparer and/or translator must complete this section and sign it.)

I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Signature of Preparer or Translator:		Date (mm/dd/yyyy):	
Last Name (Family Name)		First Name (Given Name)	
Address (Street Number and Name)	City or Town	State	Zip Code



Grooming & Appearance Guidelines for Crew

Our image depends in part, on how our employees present themselves to our customers. McDonald's stresses the importance of maintaining the highest standards possible in all phases of our operation, including standards regarding cleanliness and neatness of all McDonald's employees.

PERSONAL HYGIENE

Keeping good personal hygiene is one of the ways to help make sure that our food is safe. These are some of the things employees need to do:

- Keep clean by bathing or showering and brushing your teeth every day.
- Stay neat by wearing a clean uniform and keeping fingernails short.
- If you have an infectious or contagious illness that may prevent you from serving food or handling food equipment in a sanitary manner contact your restaurant manager.

HAND WASHING

Washing hands properly probably is the most important thing an employee can do to help ensure that our customers receive safe food. Employees must wash their hands...

- before entering the kitchen and touching food
- after using the restroom
- after taking a break
- after handling garbage or cleaning supplies
- after touching the face, hair, or body

As part of orientation, the manager should demonstrate how to properly wash hands.

UNIFORMS

Wear McDonald's uniform whenever on the job. The entire uniform should always be clean and neat. McDonald's crew uniform including hat, shirt, pants, dark shoes, dark socks or neutral hose, and name badge must be worn in the restaurants at all times. As a minimum, each crew member should have two complete uniforms (i.e. two shirts, two pants and a hat.) If they work more than 30 hours per week, they should have three shirts and three pants.

NAILS

Ensure that nails are short, clean, neat, and manicured. Artificial nails are not appropriate as they may fall off into any food product or food preparation area.

HAIR

Hair must be clean, restrained, off the face, and pinned back or up. If however, the local health board requirements are stricter, you must follow their standards. Men's hair must be neatly trimmed and not fall below the ears or collar.

FACIAL HAIR

Men must shave before coming to work. Sideburns should only reach to the bottom of the ear. Mustaches must be neatly trimmed to the corner of the mouth. No beards or goatees.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

**ACCOMMODATIONS TO THE GROOMING & APPEARANCE GUIDELINES FOR RELIGIOUS BELIEFS
AND/OR PHYSICAL CONDITIONS**

Recognizing and respecting the diversity of applicants and our employees, there may be circumstances when McDonald's provides accommodations to these Grooming & Appearance standards. Under certain circumstances, McDonald's will provide a reasonable accommodation to these standards to accommodate an applicant's or employee's religious beliefs and/or physical condition. It is important for you to inform your Restaurant Manager if you require any such accommodation. If you and your manager cannot agree on an acceptable accommodation, you can contact HR Consulting at 1.877.623.9160 to discuss the issue.

COSMETICS

Cosmetics must be subtle, moderate and within the natural color spectrum. This includes hair coloring and colognes.

JEWELRY

Loose dangling bracelets, earrings, hanging necklaces, and excessive amounts of jewelry can be a safety hazard while preparing and serving our food. Therefore, we must limit the amount and type of jewelry worn. No visible chains or non-McDonald's pins should be worn. Small or stud earrings should be worn. Jewelry should be moderate, in good taste and not excessive. Males are permitted one (1) small earring in the ear lobe. Facial, nose, tongue and other visible body piercing are prohibited.

SHOES

Shoes must be leather, with "slip resistant" soles and, for obvious reasons, flat and comfortable. Canvas shoes or open-toed footwear are a safety risk and therefore cannot be worn while working. Employees may wear athletic leather shoes - preferably dark colors. Multi-colored shoes are not permitted. Socks or hose must be worn at all times.

MISCELLANEOUS

In general, tattoos and body markings, such as hickies, should not be visible to our customers.

BT II Inc.
1700 E. 59th Street
Chicago, IL 60636

CASH CONTROL POLICIES

Cashier Must:

1. Verify all money taken out of the drawer by manager for skims and change.
2. Verify opening drawer amount before going on the floor.
3. Recite amount of the sale in a loud and clear voice.
4. Call out the amount of the sale and currency from which change is made.
5. Place money across register drawer until change is made. (Face down)
6. Place money in cash drawer so that bills face in the same direction.
7. Ring up each sale at the time that it is made.
8. Keep cash drawer closed except when ringing up a sale.
9. Tell a manager when incorrect amount is rung up on the register.
10. Make sure Manager completes over-ring slip correctly (Employee/Manager signatures, date correct, correct amount, and register number).
11. Only operate your assigned drawer.
12. Have a manager assist if a refund is necessary.
13. Have a manager assist if customer forgets to take change.
14. Use register for customer sales only (not for personal use)
15. Accept only traveler's checks and only with approval of a manager.
16. Have less than \$1.00 (plus or minus) every day.

Cashier Must Not:

1. Item cancel after totaling the sale without manager approval.
2. Place any order in the store not paid for without manager approval.
3. Accept any currency over \$20.00 bill without manager approval.
4. Make change between registers.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Inturn

Addendum to Crew Handbook

The Following Behaviors are 0 Tolerance

1. No Call- No Show
2. Insubordination
3. All employees must punch out within 5 minutes of their shift ending
4. 2hrs notification is required when calling off from shift
5. Abusive language/ arguing/ fighting
6. Job Abandonment
7. Refusal to perform duties designated by upper management
8. Cash Policies (see cashier policies for cash +/- limits)

"I've read, understood, and agree to follow all policies described above".

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Manager

(b) (6), (b) (7)(C)



Orientation Receipt

I have received and reviewed a copy of the booklet "Our Policies: A Guide to Actions and Behaviors at McDonald's" for Independently Owned and Operated McDonald's Franchise Employees. I agree to read the orientation materials carefully and become familiar with their contents.

I understand that the orientation materials given to me are not employment contracts and they do not create any contractual rights.

I understand that I am an employee-at-will of an independently owned and operated McDonald's franchise, as described on the inside cover of the policies booklet.

I also understand that the owner operator of the independently owned and operated McDonald's may change the policies, rules, and regulations contained in the guide from time to time, with or without prior notice. The at will nature of employment may be modified or changed only in writing addressed specifically to you expressly stating that you are no longer employed at will, and which is signed by both you, and the independent owner of the McDonald's restaurant that you work at.

I further understand that the independently owned and operated McDonald's organization that I work for retains the right to determine proper discipline in every situation on a case-by-case basis.

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

(b) (6), (b) (7)
(C)

MCDONALD'S PHILOSOPHY

This Independent McDonald's Franchisee wants to make all employees aware of the issues of discrimination, harassment and sexual harassment in the work place. Our goal is to promote a business environment of mutual respect. This Independent McDonald's Franchisee believes in the value of a diverse workforce, equal opportunity and a workplace free from discrimination and all forms of unlawful harassment for the employees, suppliers, vendors and customers of this Independent McDonald's Franchisee. These values make good business sense, promote positive working and business relationships, and they are the right thing to do.

Sincerely,

(b) (6), (b) (7)(C)

YOUR PLEDGE

I have read, understand and agree to comply with all the policies set forth, in the Manager Handbook. Regarding Discrimination and Sexual Harassment, I will not engage in any form of discrimination, harassment or sexual harassment covered under this policy, and I will immediately report any form of discrimination, harassment or sexual harassment that I may experience or witness as set out in the Employee Recourse section of the Zero Tolerance Policy. I will strive to do my part to promote a business environment of mutual respect

(b) (6), (b) (7)(C)

Date:

(b) (6), (b) (7)(C)

*This Independent McDonald's Franchisee reserves the right to amend or modify this policy at any time without notice. This policy does not create any contractual obligations between this McDonald's and its employees. At this McDonald's, your employment is at will. This means that you are free to terminate your employment at any time, for any reason, and this McDonald's retains the same right.

(b) (6), (b) (7)(C)

TO : ALL CREW

BEGINNING IMMEDIATELY ANYONE REPORTING TO WORK THAT IS NOT IN PROPER McDonald's ATTIRE WILL NOT BE ALLOWED TO WORK AND WILL FACE PROGRESSIVE DISCIPLINARY ACTION.

YOUR UNIFORM SHOULD CONSIST OF:

1. BLACK RUBBER SOLE SHOES
2. BLACK DICKIE PANTS (ONLY DICKIE BRAND)
3. BLACK BELT
4. WHITE T-SHIRT
5. CLEAN/ IRONED UNIFORM SHIRT
6. NAME TAG
7. TIE
8. HAT (MEN) VISOR (LADIES)

NONE OF THE FOLLOWING CAN BE WORN:

1. FACIAL JEWELRY
2. EAR RINGS LARGER THAN THE SIZE OF A DIME
3. NO EARRINGS ARE TO BE WORN BY KITCHEN CREW
4. NO CELL PHONES
5. NO NEGOTIATIONS

WE ALL MUST PROJECT A PROFESSIONAL IMAGE FOR McDonald's WHILE PROVIDING THE BEST Q.S.C IN CHICAGO. THANK YOU TO EVERYONE FOR YOUR SUPPORT AND UNDERSTANDING I LOOK FORWARD TO A GREAT AND BUSY SUMMER TOGETHER.

2 Shirts: \$15 EACH

1 TIE: \$5.50 EACH

1 HAT: \$5.50

TOTAL : \$41.00

Signature

Date:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**ZERO TOLERANCE POLICY REGARDING DISCRIMINATION AND
SEXUAL HARASSMENT
FOR EMPLOYEES OF THIS INDEPENDENT McDONALD'S
FRANCHISEE**

This Independent McDonald's Franchisee has zero tolerance for unlawful discrimination, including harassment and sexual harassment. Employees who violate this policy will be disciplined up to and including termination.

**This Independent McDonald's Franchisee Prohibits
Discrimination**

This Independent McDonald's Franchisee strongly believes that employees and applicants for employment should be treated fairly and without regard to race, color, sex, religion, national origin, age, disability, veteran status or any other prohibited basis. This applies to all employment practices, including recruiting, hiring, pay, performance reviews, training and development, promotions and other terms and conditions of employment. Discrimination or harassment of an employee of the Independent McDonald's Franchisee, whether by another employee, supplier, vendor, consultant or customer, will not be tolerated.

This Independent McDonald's Franchisee Prohibits Harassment

This Independent McDonald's Franchisee will not tolerate any form of harassment, joking remarks or other abusive conduct (including verbal, non-verbal, or physical conduct) that demeans or shows hostility toward an individual because of his/her race, color, sex, religion, national origin, age, disability, veteran status or other prohibited basis and that creates an intimidating, hostile or offensive work environment, unreasonably interferes with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

**This Independent McDonald's Franchisee Prohibits Sexual
Harassment**

This Independent McDonald's Franchisee has zero tolerance for any form of sexual harassment of any employee, whether male or female. Sexual harassment is prohibited because it may be intimidating, an abuse of power, and is inconsistent with the policies, practices and management philosophy of this Independent McDonald's Franchisee.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and certain other verbal, non-verbal or physical conduct which is sexual or based on gender if that conduct could reasonably offend another person, whether or not such conduct was intended to offend.

(b) (6), (b) (7)(C)

Rev Jan 98

Candy Organization
1700 E 14th Street
Chicago, IL 60637
773 493 3708

Security Policy

Effective September 19, 2011, all employees (crew or maintenance) will be allowed to enter the restaurant only if they have a clear bag, clear backpack, or mesh (see through) bag. All employee bags will be checked upon leaving the restaurant. No one will be allowed to bring any other type of bag to work outside of the ones listed above. Candy Organization is not responsible for any personal property on premises such as laptops, ipods, cell phones, money, ID's etc.

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Prepared by:

(b) (6), (b) (7)(C)

Date:

Clear bags and backpacks can be purchased at Value City Department Store
Mesh bags can be purchased at Walmart



McDonald's Hospitality

(b) (6), (b) (7)(C)

understand that being on the Customer Service Team at McDonald's Heavy Plant, it is my responsibility to provide and ensure 100% satisfaction. All employees are members of the Customer Service Team!

I will come to work in a neat, clean uniform with my nametag, belt and non-slip black shoes. I will always project a warm friendly smile while interacting with our guests and I will greet them as soon as they enter the restaurant. I will provide each guest with my undivided personal attention and will call him or her by their name, if known. If I have a large or complicated order, I will politely ask for assistance in order for my guest to receive the fastest and most efficient service possible.

I will serve only hot, fresh food that has a neat appearance and is within the proper holding times. I will never serve a guest any expired or low quality product. I will notify the manager if it doesn't look right, for any reason. If a guest is not satisfied with any product, for any reason, I will listen attentively, apologize for the inconvenience and attempt to fix the problem, either by replacing the food or involving the manager if necessary. I will make sure all food is accounted for according to store policy. I will ask each guest if they want condiments for their order, such as sauce for nuggets, dressing for salad etc.

If I am in the restaurant's dining room, for any reason, I will do the following:

- ✓ I will open the door for guests arriving or leaving.
- ✓ I will ask guests if they are satisfied with their meal.
- ✓ I will help parents with children (ie. Carry trays, get highchairs).
- ✓ I will not walk by a dirty table without cleaning it.
- ✓ I will not walk by trash on the floor without picking it up.
- ✓ I will provide our guests with "Customer Care" at its very best.
- ✓ I will go GAGA (Greet all guests always).

(b) (6), (b) (7)(C)

Employee Signature

(b) (6), (b) (7)(C)

Manager Signature

(b) (6), (b) (7)(C)

Date

RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06

10/75
STORE:
PAGE:

EMPLOYEE ACTION FORM

23 DYER NAME

(b) (6), (b) (7)(C)

ID:

DATE:

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD QSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 INCOMPLETE UNIFORM
- 03 POOR APPEARANCE/HYGIENE
- 04 INTERFERENCE WITH EMPLOYEES
- 05 REGISTER SHORTAGE/VIOLETION
- 06 UNEXCUSED TARDINESS
- 07 UNEXCUSED ABSENCE
- 08 POOR CUSTOMER RELATIONS

CODE #

- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
- 10 UNCOOPERATIVE
- 11 VIOLATION OF FOOD POLICY
- 12 INSUBORDINATION
- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C)

your drawer was short \$6.00
this is not the first time this has happened
therefore you will have to speak to
about this

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

All material contained herein is business confidential information of your employer and may not be used or copied without the prior written permission of your employer. This document is for use only in Employee Protected Communications. Employee Protected Communications are communications by new supervisory employees regarding terms and conditions of employment, such as wages and benefits, hours, working conditions and personal actions.

(b) (6), (b) (7)(C)

RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06 STORE:
PAGE:
10175

EMPLOYEE ACTION FORM

EMPLOYEE NAME

(b) (6), (b) (7)(C)

ID:

DATE

(b) (6), (b) (7)(C)

COMMENDATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
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- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C)

your drawer was short \$4.00 this is
numerous times you will have to speak with
about this

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

OWNER SIGNATURE

Material contained herein is business confidential information of your employer and may not be used or copied without the prior written permission of your employer, unless it is being used in Employee Protected Communications. Employee Protected Communications are communications by non-supervisory employees regarding terms and conditions of employment such as wages and benefits, health working conditions and personnel actions.

(b) (6), (b) (7)(C)

EMPLOYEE ACTION FORM

(b) (6), (b) (7)(C)

ID:

DATE:

(b) (6), (b) (7)(C)

EMPLOYEE NAME

COMMENDATION

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- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C)

punched an employee in ¹³room break, in which ¹³we were aware they must punch themselves in & out. This is theft of time & will not be tolerated.

(b) (6), (b) (7)(C)

Soy

EMPLOYEE SIGNATURE

(b) (6), (b) (7)(C)

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

ID: ---

Information contained herein is business confidential information of your employer and may not be used or copied without the prior written permission of your employer, unless it is being used in employee protected communications. Employee Protected Communications are communications by non-supervisory employees regarding terms and conditions of employment, such as wages and benefits, hours, working conditions and personnel policies.

(b) (6), (b) (7)(C)

016
Dec 2

HP Fax

EMPLOYEE ACTION FORM

EMPLOYEE NAME: (b) (6), (b) (7)(C)

ID: (b) (6), (b) (7)(C)

DATE: (b) (6), (b) (7)(C)

COMMENDATION

- CODE #
- 01 STAYED LATE
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 - 15 SECURITY POLICY VIOLATION
 - 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C) gave a customer 8 drinks. The customer said (b) (6), (b) (7)(C) had an attitude and threw the money in (b) (6), (b) (7)(C) hand. Another customer said (b) (6), (b) (7)(C) was not paying attention while (b) (6), (b) (7)(C) was ordering. At that point I told (b) (6), (b) (7)(C) to punch out. (b) (6), (b) (7)(C) will need to talk with the store MGR before returning to work. (b) (6), (b) (7)(C) Sump

EMPLOYEE SIGNATURE

(b) (6), (b) (7)(C)

MANAGER SIGNATURE

ID: ---

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

This document is the property of the company and may not be used or copied without the prior written permission of your employer. It is to be used in employee personnel communications and communications by non-employee representatives regarding terms and conditions of employment such as wages and benefits. It is not to be used for any other purpose.

DATE:
TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06 STORE:
PAGE: 1

EMPLOYEE ACTION FORM

EMPLOYEE NAME: (b) (6), (b) (7)(C)

ID:

DATE: (b) (6), (b) (7)(C) -16

COMMENDATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD QSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 INCOMPLETE UNIFORM
- 03 POOR APPEARANCE/HYGIENE
- 04 INTERFERENCE WITH EMPLOYEES
- 05 REGISTER SHORTAGE/VIOLATION
- 06 UNEXCUSED TARDINESS
- 07 UNEXCUSED ABSENCE
- 08 POOR CUSTOMER RELATIONS

CODE #

- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
- 10 UNCOOPERATIVE
- 11 VIOLATION OF FOOD POLICY
- 12 INSUBORDINATION
- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C) gave (b) (6), (b) (7)(C) \$10.00 AND when
(b) (6), (b) (7)(C) asked for (b) (6), (b) (7)(C) back (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C)
don't have it. AND was being disrespectful. on the
Front line. then gave (b) (6), (b) (7)(C) \$1.00
saying (b) (6), (b) (7)(C) can't count.

EMPLOYEE SIGNATURE

Refuse to Sign

MANAGER SIGNATURE

OWNER OPERATOR

ID: ---

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

got sent home

because after

(b) (6), (b) (7)(C)

stop,

(b) (6), (b) (7)(C)

did

(b) (6), (b) (7)(C)

kept going so

the right thing by sending

(b) (6), (b) (7)(C)

home.

(b) (6), (b) (7)(C)

Dec 6

HP Fax

RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06 STORE:
PAGE:
11

EMPLOYEE ACTION FORM

EMPLOYEE NAME:

(b) (6), (b) (7)(C)

ID:

DATE:

(b) (6), (b) (7)(C)

COMMENDATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD OSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 INCOMPLETE UNIFORM
- 03 POOR APPEARANCE/HYGIENE
- 04 INTERFERENCE WITH EMPLOYEES
- 05 REGISTER SHORTAGE/VIOLATION
- 06 UNEXCUSED TARDINESS
- 07 UNEXCUSED ABSENCE
- 08 POOR CUSTOMER RELATIONS

CODE #

- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
- 10 UNCOOPERATIVE
- 11 VIOLATION OF FOOD POLICY
- 12 INSUBORDINATION
- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C)

Need To See The Gm

(b) (6), (b) (7)(C)

Sup.

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

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(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) (b) (6), (b) (7)(C) asked for (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) own (b) (6), (b) (7)(C) start
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

change
getting loud ~~the~~ and
got loud ~~everyone~~ people was
shaking their hands and walked off
and they start arguing

(b) (6), (b) (7)(C) was asking (b) (6), (b) (7)(C) for
(b) (6), (b) (7)(C) got from (b) (6), (b) (7)(C) when
\$10.00 that (b) (6), (b) (7)(C) gave
I was causing up, and (b) (6), (b) (7)(C)
\$9.00. (b) (6), (b) (7)(C) 16

RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM
EMPLOYER ACTION FORM

10.06 STORE
PAGE

BY DYES NAME:

IL:

DATE

COMMUNICATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD QSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 IMPROPER UNIFORM
- 03 POOR APPEARANCE/HYGIENE
- 04 INTERFERENCE WITH EMPLOYEES
- 05 REGISTER SHORTAGE/VIOLATION
- 06 UNEXCUSED TARDINESS
- 07 UNEXCUSED ABSENCE
- 08 POOR CUSTOMER RELATIONS

CODE #

- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
- 10 UNCOOPERATIVE
- 11 VIOLATION OF FOOD POLICY
- 12 INSUBORDINATION
- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

Spoke with (b) (6), (b) (7)(C) on too many occasions about work performance and language thru out the store. Probation and can't get into in trouble. In the with another Employee on (b) (6), (b) (7)(C) work is on 9 was cursing (b) (6), (b) (7)(C) 1/28
Chance.

EMPLOYER SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

Next Action: Reprimand

10175

RUN DATE:
RUN TIME:

STORM MANAGER'S BUSINESS SYSTEM

11.06
PAGE

EMPLOYER ACTION FORM

BY: DYES NAME (b) (6), (b) (7)(C)

ID:

DATE (b) (6), (b) (7)(C)

COMMENTATION

- CODE #
- 01 STAYED LATE
 - 02 CAME IN EARLY
 - 03 CAME IN ON DAY OFF
 - 04 VOLUNTEERED FOR EXTRA DUTY
 - 05 ASSISTED A MANAGER
 - 06 ASSISTED ANOTHER CREW PERSON

- CODE #
- 07 HELPED A TRAINEE
 - 08 HELPED A CUSTOMER
 - 09 EXCEPTIONAL PERFORMANCE
 - 10 HELPED ACHIEVE GOOD QSC GRADE
 - 11 EMPLOYEE OF THE MONTH
 - 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

- CODE #
- 01 POOR PERFORMANCE
 - 02 INCOMPLETE UNIFORM
 - 03 POOR APPEARANCE/HYGIENE
 - 04 INTERFERENCE WITH EMPLOYEES
 - 05 REGISTER SHORTAGE/VIOLATION
 - 06 UNEXCUSED TARDINESS
 - 07 UNEXCUSED ABSENCE
 - 08 POOR CUSTOMER RELATIONS

- CODE #
- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
 - 10 UNCOOPERATIVE
 - 11 VIOLATION OF FOOD POLICY
 - 12 INSUBORDINATION
 - 13 USE/POSSESSION OF DRUGS/ALCOHOL
 - 14 THEFT OF MONEY/MERCHANDISE
 - 15 SECURITY POLICY VIOLATION
 - 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C) Kept asking to go in front was told
no then asked to go home. Manager on duty
told (b) (6), (b) (7)(C) to go home it going to be permanent,
(b) (6), (b) (7)(C) said don't come
(b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Termination



Disciplinary Action Form

Name:	(b) (6), (b) (7)(C)
Title: Crew	
Service Date:	
Date of Incident:	(b) (6), (b) (7)
	2016

Restaurant Mgmt: ☐

Hourly Employees: x ☐

Action Taken:	Warning: _____	Resignation: _____
	Suspension: _____	Written Warning: _____
	Demotion: _____	Termination: _____

Discipline Reason:	<input checked="" type="checkbox"/> Insubordination	<input type="checkbox"/> Performance	Other
Violation of policies:	<input type="radio"/>	<input type="radio"/>	<input type="radio"/> Other _____
	<input type="radio"/>		
	<input type="radio"/>		

Brief Description of Incident

This is a written notice of termination for (b) (6), (b) (7)(C) challenged a manager or (b) (6), (b) (7)(C) has challenged a manager. (b) (6), (b) (7)(C) has been giving verbal notice, 2016. This is not the first incident that (b) (6), (b) (7)(C) placed (b) (6), (b) (7)(C) on a probation for improvement. However, since then (b) (6), (b) (7)(C) has continued the behavior (b) (6), (b) (7)(C) is being terminated on (b) (6), (b) (7)(C) 2016.

I, the undersigned employee, understand that any future violations of company policies alleged against me will be investigated. I also understand that if I am found to have violated any of the Company Policies, I could be subject to additional disciplinary action, up to and including termination.

Employee's Signature (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Date: (b) (6), (b) (7)(C) 2016

Supervisor's Signature

Date: (b) (6), (b) (7)(C) 2016



Disciplinary Action Form

Name:	(b) (6), (b) (7)(C)
Title:	Crew
Service Date:	
Date of Incident:	(b) (6), (b) (7)(C) 2016

Restaurant Mgmt: ☐

Hourly Employees: ☒

Action Taken:	Warning:	_____	Resignation:	_____
	Suspension:	_____	Written Warning:	_____
	Demotion:	_____	Termination:	_____

Discipline Reason:	<input checked="" type="checkbox"/> Insubordination	<input type="checkbox"/> Performance	Other
	Violation of policies:	<input type="radio"/>	<input type="radio"/> Other _____
	<input type="radio"/>		
	<input type="radio"/>		

Brief Description of Incident

This is a written notice of termination for (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) challenged a manager on (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) has been giving verbal notice. (b) (6), (b) (7)(C) has challenged a manager (b) (6), (b) (7)(C) on a probation for improvement. However, since then (b) (6), (b) (7)(C) has continued the behavior. (b) (6), (b) (7)(C) is being terminated on (b) (6), (b) (7)(C) 2016.

I, the undersigned employee, understand that any future violations of company policies alleged against me will be investigated. I also understand that if I am found to have violated any of the Company (b) (6), (b) (7)(C) could be subject to additional disciplinary action, up to and including termination.

Employee's Signature (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Supervisor's Signature _____

Date: _____ 2014

Date: _____ 2016.

RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM
EMPLOYEE ACTION FORM

10.06 STORE: 21097
PAGE: 1

EMPLOYEE NAME

(b) (6), (b) (7)(C)

ID:

DATE:

(b) (6), (b) (7)(C)

COMMENDATION

- CODE #
- 01 STAYED LATE
 - 02 CAME IN EARLY
 - 03 CAME IN ON DAY OFF
 - 04 VOLUNTEERED FOR EXTRA DUTY
 - 05 ASSISTED A MANAGER
 - 06 ASSISTED ANOTHER CREW PERSON

- CODE #
- 07 HELPED A TRAINEE
 - 08 HELPED A CUSTOMER
 - 09 EXCEPTIONAL PERFORMANCE
 - 10 HELPED ACHIEVE GOOD QSC GRADES
 - 11 EMPLOYEE OF THE MONTH
 - 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

- CODE #
- 01 POOR PERFORMANCE
 - 02 INCOMPLETE UNIFORM
 - 03 POOR APPEARANCE/HYGIENE
 - 04 INTERFERENCE WITH EMPLOYEES
 - 05 REGISTER SHORTAGE/VIOLATION
 - 06 UNEXCUSED TARDINESS
 - 07 UNEXCUSED ABSENCE
 - 08 POOR CUSTOMER RELATIONS

- CODE #
- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
 - 10 UNCOOPERATIVE
 - 11 VIOLATION OF FOOD POLICY
 - 12 INSUBORDINATION
 - 13 USE/POSSESSION OF DRUGS/ALCOHOL
 - 14 THEFT OF MONEY/MERCHANDISE
 - 15 SECURITY POLICY VIOLATION
 - 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

Every time I try to explain to (b) (6), (b) (7)(C) what (b) (6), (b) (7)(C) duties is (b) (6), (b) (7)(C) just stand around looking at the expo screen. When I say something (b) (6), (b) (7)(C) gives me mouth. Must talk to (b) (6), (b) (7)(C) about (b) (6), (b) (7)(C) performance. I feel like (b) (6), (b) (7)(C) done this plenty of times, so it shouldn't be no excuse.

EMPLOYEE SIGNATURE

(b) (6), (b) (7)(C)

MANAGER SIGNATURE

ID: ---

SUPERVISOR SIGNATURE

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RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06 STORE: 21097
PAGE: 1

EMPLOYEE ACTION FORM

EX: OYEE NAME: (b) (6), (b) (7)(C)

ID:

DATE: (b) (6), (b) (7)(C) 16

COMMENDATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD QSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 INCOMPLETE UNIFORM
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CODE #

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- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C) was #4.34 short was constantly not getting orders right & asking ME to open drawer because (b) (6), (b) (7)(C) forgot customers change.

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

MANAGER SIGNATURE

SUPERVISOR SIGNATURE

ID: ---

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RUN DATE:
RUN TIME:

STORE MANAGER'S BUSINESS SYSTEM

10.06

10175
STORE:
PAGE:

EMPLOYEE ACTION FORM

EMPLOYEE NAME:

(b) (6), (b) (7)(C)

ID:

DATE

(b) (6), (b) (7)(C)

COMMENDATION

CODE #

- 01 STAYED LATE
- 02 CAME IN EARLY
- 03 CAME IN ON DAY OFF
- 04 VOLUNTEERED FOR EXTRA DUTY
- 05 ASSISTED A MANAGER
- 06 ASSISTED ANOTHER CREW PERSON

CODE #

- 07 HELPED A TRAINEE
- 08 HELPED A CUSTOMER
- 09 EXCEPTIONAL PERFORMANCE
- 10 HELPED ACHIEVE GOOD QSC GRADES
- 11 EMPLOYEE OF THE MONTH
- 99 OTHER (EXPLANATION REQUIRED)

REPRIMAND/DISCIPLINE

CODE #

- 01 POOR PERFORMANCE
- 02 INCOMPLETE UNIFORM
- 03 POOR APPEARANCE/HYGIENE
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- 07 UNEXCUSED ABSENCE
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CODE #

- 09 ABUSIVE LANGUAGE/ARGUING/FIGHTING
- 10 UNCOOPERATIVE
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- 12 INSUBORDINATION
- 13 USE/POSSESSION OF DRUGS/ALCOHOL
- 14 THEFT OF MONEY/MERCHANDISE
- 15 SECURITY POLICY VIOLATION
- 99 OTHER (EXPLANATION REQUIRED)

EXPLANATION

(b) (6), (b) (7)(C)

your drawer was short \$4.00 please be careful when counting your change if this continues you will have to speak with

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

EMPLOYEE SIGNATURE

(b) (6), (b) (7)(C)

MANAGER SIGNATURE

(b) (6), (b) (7)(C)

SUPERVISOR SIGNATURE

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LICENSEE CREW MEMBER RECORDS FOLDER

(PLEASE PRINT)

NAME: (b) (6), (b) (7)(C) FIRST: (b) (6), (b) (7)(C) INITIAL: (b) (6), (b) (7)(C) LAST: (b) (6), (b) (7)(C)
RESTAURANT NO. 5921 TIME CARD NO. _____
STREET ADDRESS: (b) (6), (b) (7)(C) APT. NO. (b) (6), (b) (7)(C) OR BOX: (b) (6), (b) (7)(C) CITY: (b) (6), (b) (7)(C) STATE: (b) (6), (b) (7)(C) ZIP: (b) (6), (b) (7)(C) TEL NO: (b) (6), (b) (7)(C)
ARE YOU 18 OR OLDER? ☐ NO IF NOT, BIRTH DATE: _____ EVER WORKED FOR McDONALD'S BEFORE? IF YES, DATES, LOCATIONS AND REASONS FOR LEAVING: (b) (6), (b) (7)(C)
THIS SECTION TO BE FILLED OUT BY MANAGER ONLY AFTER HIRE
☐ WOTC QUALIFIED ☐ YES CERTIFICATION DATE: _____ SEX: (b) (6), (b) (7)(C) Immigration Form I-9 completed (Mgr. Init.) _____
☐ NO ☐ LEAVE OF ABSENCE START DATE: _____ RETURN DATE: _____
POSITION: ☐ CREW DATE OF BIRTH: _____ HOURLY START RATE: _____ START DATE: _____
☐ SWING ☐ MAINTENANCE
FED. MARITAL TAX STATUS: _____ FEDERAL TAX EX.: _____ STATE MARITAL TAX STATUS: _____ STATE TAX EX.: _____ LOCAL MARITAL TAX STATUS: _____ LOCAL TAX EX.: _____ ADD FED. TAX AMT.: _____ ADD ST. TAX AMT.: _____
STATE OVERRIDE TAX CODE: _____ LOCAL TAX CODE (S): _____ IF EXEMPT ENTER 1 FICA: _____ FUTA: _____ SUI: _____ MOI: _____ EARNED INCOME CREDIT ☐ YES ☐ NO INS. ☐ YES ☐ NO

HEALTH CONSIDERATIONS:

- Do you agree to report to your restaurant manager if have an illness diagnosed by a health practitioner due to Norovirus, Salmonella (including Typhoid), Shigella, shiga toxin producing or other type of ESCHERICHIA COLI, Campylobacter, or Hepatitis A or E virus? Or if you have been in close contact with someone at home, work or school that is ill with one of these foodborne pathogens? ☐ YES
- Do you agree that you will report to your restaurant manager an onset of the following symptoms*, including the date of onset while either at work or outside work? ☐ YES
*diarrhea, vomiting, jaundice, sore throat, a lesion containing pus such as a boil or infected wound that is open or draining even if the lesion is protected and covered. ☐ YES
- Do you agree to report to your restaurant manager any Health Department or Board of Health investigation in which you may be involved? ☐ YES

MANAGER: If an employee reports that s/he currently has an illness described above or has been recently exposed to someone with these illnesses, you should contact McDonald's HR Consulting (877) 623-9150 for advice and next steps for dealing with the situation.

MASSACHUSETTS EMPLOYMENT ONLY: It is unlawful in Massachusetts to require or administer a lie detector test as a condition of employment or continued employment. An employer who violates this law shall be subject to criminal penalties and civil liabilities.

MARYLAND EMPLOYMENT ONLY: Under Maryland law, an employer may not require or demand, as a condition of employment, prospective employment, or continued employment that an individual submit to or take a lie detector or similar test. An employer who violates this law is guilty of a misdemeanor.

IF YOU NEED INSTRUCTIONS FOR COMPLETING THE W4 FORM, PLEASE ASK THE RESTAURANT MANAGER

1. I certify that the information contained on this records folder is correct to the best of my knowledge and understand that any omission or erroneous information is grounds for dismissal in accordance with this independently owned and operated McDonald's® policies. 2. I authorize the persons, employers, schools and organizations listed on this application to give you any information concerning my employment and other pertinent information they may have, personal and otherwise, and release all parties from all liability and damages that may result from furnishing this to you. 3. I acknowledge that I am applying for employment with an independently owned and operated McDonald's® franchise, a separate company and employer from McDonald's® Corporation and any of its subsidiaries. 4. If applicable to my employment, I have read and understood the notice regarding polygraph tests and my rights under Maryland law as well as rights under other state and federal laws.

Employee's Withholding Allowance Certificate

Print your full name: (b) (6), (b) (7)(C) Your social security number: (b) (6), (b) (7)(C)
Address (including ZIP code): (b) (6), (b) (7)(C)
Marital status: (b) (6), (b) (7)(C) ☐ married, but will file at higher Single rate ☐ Not: If married, divorced, legally separated, or spouse is a non resident alien, check the single block.
1 Total number of allowances you are claiming (See W4 Employee's Withholding Allowance Certificate) _____
2 Additional amount, if any, you want deducted from each pay (if your employer agrees) _____
3 I claim exemption from withholding because (see instructions and check boxes below that apply) _____
(b) (6), (b) (7)(C) not owe any Federal income tax and had a right to a refund to ALL income tax withheld, AND
(b) (6), (b) (7)(C) not expect to owe any Federal income tax and expect to have a right to a full refund of ALL income tax withheld,
and b apply, enter "EXEMPT" here _____
I am a full time student? _____
I am entitled to claim the exemption _____
Employee's signature: (b) (6), (b) (7)(C) Date: (b) (6), (b) (7)(C)
Signature: (b) (6), (b) (7)(C) Date: (b) (6), (b) (7)(C)

From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Re: McDonald's 13-CA-190337
Date: Wednesday, January 25, 2017 4:51:07 PM

Jana,

Thank you. I understand.

I am still hoping to see if there is something the union can do, but it isn't going to happen this week. So I'll send you an email requesting to withdraw the charge.

Thanks as always.

George

George A. Luscombe III
DOWD, BLOCH, BENNETT,
CERVONE, AUERBACH & YOKICH
8 South Michigan Avenue | 19th Floor | Chicago, IL 60603
Phone 312.372.1361 | Fax 312.372.6599
gluscombe@laboradvocates.com

On Wed, Jan 25, 2017 at 3:34 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Hi George,

Let me know by close of business tomorrow whether the Union will withdraw the charge. Otherwise, based on the evidence in the file, I'll put the charge through for dismissal.

If the Union still hasn't decided what to do, you can always withdraw and refile if there is additional evidence to present, such as (b) (6), (b) (7)(C) coming in for another affidavit.

I'm off tomorrow, so feel free to call and leave a message or e-mail. I'll be putting the case through Friday whether it's for withdrawal or dismissal. I think you would do this anyway, but if you decide to withdraw, please create a new e-mail (i.e. not replying to this one). Thanks!

Jana Prokop

Field Examiner

National Labor Relations Board, Region 13

219 S Dearborn - Suite 808

Chicago, IL 60604

[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)

<http://www.nlr.gov>

From: George Luscombe [mailto:gluscombe@laboradvocates.com]

Sent: Monday, January 23, 2017 4:32 PM

To: Prokop, Jana C. <Jana.Prokop@nlrb.gov>

Subject: Re: McDonald's 13-CA-190337

Jana,

Sorry, I am still trying to get word from the union. I will keep on them.

George

George A. Luscombe III

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gluscombe@laboradvocates.com

On Mon, Jan 23, 2017 at 3:19 PM, Prokop, Jana C. <Jana.Prokop@nlrb.gov> wrote:

Hi George,

Have you talked to the Union about this case yet? Feel free to e-mail back, but if you need to call, I'm working from home at (b) (6), (b) (7)(C) Thanks!

Jana Prokop

Field Examiner

National Labor Relations Board, Region 13

219 S Dearborn - Suite 808

Chicago, IL 60604

[312-353-8613](tel:312-353-8613) (p) | [312-886-1341](tel:312-886-1341) (f)

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From: [George Luscombe](#)
To: [Prokop, Jana C.](#)
Subject: Case No. 13-CA-190337, McDonald's at 500 W Madison St.
Date: Wednesday, January 25, 2017 4:54:50 PM

Jana,

Charging Party, Workers Organizing Committee of Chicago, requests to withdraw the charge in Case No. 13-CA-190337 (McDonald's 500 W Madison St., Chicago & McDonald's USA, LLC, Joint Employers).

Thank you for your work on this matter.

George

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Field Examiner J. Prokop's Contact Log

Case Number *13-CA-190337*

Current Date **Time** **Who/what?**

Wednesday, January 04, 2017 11:50 AM TC from Jay Hux
he represents ER. No response needed at this time, as I still have to get CP evidence. I
will send request for evidence once I have CP evidence. I will e-mail him charge as he
does not have it. (he called me to say he reps MC in 2 other withdrawn cases)

Tuesday, January 17, 2017 10:43 AM VM from George
asked that I call him back re the case.

Tuesday, January 17, 2017 11:14 AM TC to George Luscombe
said that he has asked union if it will proceed with the case. If so, I will need to take
another affidavit from (b) (6), (b) (7)(C) He will forward me personnel docs that ER sent to (b) (6), (b) (7)(C)

From: [Prokop, Jana C.](#)
To: ["George Luscombe"](#)
Subject: McD"s at 500 W Madison 13-CA-190337
Date: Monday, February 6, 2017 10:20:00 AM
Attachments: [WDL.13-CA-190337.pdf](#)

Hi George,

Attached is the withdrawal approval letter that issued Friday. I'll wait to hear from you regarding scheduling witnesses for the Burger King case. Happy Monday!

Jana Prokop
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February 3, 2017

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Fisher & Phillips LLP
10 S. Wacker Dr., Suite 3450
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250 Vesey St
New York, NY 10281-1047

Michael S. Ferrell, Esq., Partner
Jones Day
77 W Wacker Dr. Suite 3400
Chicago, IL 60601-1692

Elizabeth D. Winiarski, Esq., Associate
Jones Day
77 W Wacker Dr. Suite 3400
Chicago, IL 60601-1692

Re: Canady Enterprise Corp X d/b/a
McDonald's 500 W. Madison St., Chicago,
Illinois and McDonald's USA, LLC, Joint
Employers
Case 13-CA-190337

Dear Mr. Hux, Ms. Davis, Mr. Ferrell and Ms. Winiarski:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Canady Enterprise Corp X d/b/a McDonald's - 2 -
500 W. Madison St., Chicago, Illinois and
McDonald's USA, LLC, Joint Employers
Case 13-CA-190337

February 3, 2017

Very truly yours,

/s/ Peter Sung Ohr

Peter Sung Ohr
Regional Director

cc: McDonald's
500 West Madison Street
Chicago, IL 60661

McDonald's USA, LLC
2111 McDonald's Drive
Oak Brook, IL 60523

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